IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 5165 of 1998

Between:

1 V. Subbaiah Choudary, S/o Subba Naidu, occ: Contractor
Police Colony, A.K. Nagar, Nellore.
2 G. Sreenivasulu Naidu, Contractor, Nellore Nellore District.
3 M. Venkat Swamy & Con. rep. by Managing Partner M. Venkat Swamy,
Nellore District.
4 K. Thirupathi Naidu, Contractor, Z.P. Colony, Nellore.
5 A. Sudhakar Reddy, S/o Venkat Subba Reddy, contractor,
Nellore Nellore District
6 S. Chandra Reddy, Contractor, Ram Murthy Nagar, Nellore District
7 K.V. Krishna Reddy, S/o Laxminarsa Reddy, Contractor,
Ram Murthy Nagar, Nellore

8 S. Chandra Reddy, Contractor, Rajahmundry.
9 K. Adisesha Reddy, Contractor, Nellore, Nellore District

..... PETITIONERS

AND

1 Superintending Engineer, Irrigation Circle, Nellore.
2 Superintending Engineer, T.G.P. Circle, Cuddapah.
3 Superintending Engineer, Irrigation Circle, Warangal.
4 Superintending Engineer, S.L.B.C. Circle-II, G.V. Gudem, Nalgonda.
5 Superintending Engineer, Irrigation Circle, Chittoor.
6 Superintending Engineer, Telugu Ganga Project Circle, Srikalahasthi.
7 Superintending Engineer, R& B National High Ways, Nellore.
8 Superintending Engineer, Somaseela Project, Nellore.
9 Superintending Engineer, R & B Circle, Nellore.
10 Superintending Engineer, Telugu Ganga Project Circle, Nellore.
11 Superintending Engineer, Irrigation Circle, Nirmal, Adilabad.
12 Superintending Engineer, Panchayatraj Circle, Nellore.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court mayl be pleased to issue Writ, Order or direction more particularly in the nature of Writ of Mandamus declaring the action of the non-payment of Earnest money Deposit, Commercial Tax Clearance Certificate and Experience Certificate as illegal or arbitrary and violation of fundamental rights under article 19(1) g and consequently direct the respondents to issue tender schedules in all tender notices without insisting Earnest Money Deposit, Commercial tax clearance certificate and Experience Certificate by following G.O.Ms.No. 178 dt:27.9.1997.

For the Petitioner: MR.KOONA REDDY ANJI REDDY,Advocate

For the Respondent Nos. 1 to 12 : GP FOR IRRIGATION & COMM AREA DEVELOPMENT.

The Court made the following :

ORAL ORDER

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This Writ Petition is filed seeking a direction to the respondents to issue tender schedules without insisting upon Earned Money Deposit, Commercial Tax Clearance Certificate and Experience certificate.

A learned Single Judge of this Court, while ordering rule nisi by his order dated 26-02-1998, passed an interim direction to the respondents to issue tender schedules without insisting Earned Money Deposit.

In view of the interim orders passed by this Court on 26-02-1998, no further orders are required in this writ petition.

This writ petition is accordingly dismissed. No costs.

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8th December, 2004

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ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Superintending Engineer, Irrigation Circle, Neloore,

2. The Superintending Engineer, T.G.P. Circle,Cuddapah,

3. The Superintending Engineer, Irrigation circle, Warangal,

4. The Superintending Engineer, S.L.B.C. Circle-II, G.V.Gudem, Nalgonda,

5. The Superintending Engineer, Irrigation Circle, Chittoor,

6. The Superintending Engineer, Telugu Ganga Project Circle, Srikalahasthi,

7. The Superintending Engineer, R&B National High Ways,Nellore,

8. The Superintending Engineer, Somaseela Project, Nellore,

9. The Superintending Engineer, R&B Circle, Nellore,

10. The Superintending Engineer, Telugu Ganga Project Circle,Nellore,

11. The Superintending Engineer,Irrigation Circle, Nirmal, Adilabad,

12. The Superintending Engineer, Panchayatraj Circle,Nellore,

13. 2 C.Cs to Govt. Pleader for Irrigation & Commercial Area Development, High Court buildings, Hyderabad (O.U.T.)

14. 2 C.D. copies.